IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.40982 of 2008

1. SK.MURTUZA
2. Sk. Laddu
3. Sk. Reyaz
4. Sattar Ahmad @ Sattar Ansari …… Petitioners

Versus

STATE OF BIHAR

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3. 27.11.2008 Heard the learned Counsel for the petitioners and the learned counsel for the State.

The petitioners apprehend arrest in a police case under Sections 307 and other provisions of the Penal Code to which Section 302 was added subsequently when the injured is stated to have been deceased approximately 13 days latter.

The submission is that the assault on the head is attributed to co-accused Sk. Bundeli alone with a farsa. Petitioner no. 1 is alleged to have ordered assault when others are alleged to have assaulted with lathi in omnibus manner.

Learned Counsel for the State from Paragraph 72 of the case diary does not dispute the submission of one injury on the head.

Considering that final form was submitted earlier not sending up the petitioners for trial when chargesheet was submitted against co-accused Sk. Bundeli and two others differing with which cognizance was taken, let the petitioners, above named, surrender in the court below within a period of four weeks from today when they shall be enlarged on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of CJM West Champaran at Bettiah in Sikta PS Case No. 8 of 2008 subject to conditions laid down under Sections 438(2) Cr.P.C.

Snkumar/-

(Navin Sinha,J.)

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